

# United States District Court

WESTERN DISTRICT OF WASHINGTON

DAVID ALLEN HAWKINS

JUDGMENT IN A CIVIL CASE

v.

ELDON VAIL

CASE NUMBER: C09-5434RBL/JRC

\_\_\_ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

XX **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

The Court adopts the Report and Recommendation; and

This petition is time barred. The petition fails on the merit as well. The petition is **DENIED**.

December 11, 2009  
Date

BRUCE RIFKIN  
Clerk

s/CM Gonzalez  
Deputy Clerk